

PORT AND SOLID WASTE DEPARTMENT

Brown County

2561 SOUTH BROADWAY
GREEN BAY, WI 54304

PHONE: (920) 492-4950

FAX: (920) 492-4957

APPROVED

02.09.09

CHARLES J. LARSCHEID

PORT AND SOLID WASTE DIRECTOR

PROCEEDINGS OF THE BROWN COUNTY HARBOR COMMISSION

A meeting was held on Monday, **January 12, 2009**, 11:30AM
at Holiday Inn – City Centre, Green Bay, WI.

The meeting was officially called to order by Vice-President VanDrasek at 11:30AM

1) Roll Call:

Present: Vice-President Tom Van Drasek
Commissioner Bill Martens
Commissioner Hank Wallace
Commissioner John Hanitz
Commissioner John Gower (arrived at 11:35am)
Commissioner Craig Dickman
Commissioner Bernie Erickson (arrived at 11:35am)

Excused: President Neil McKloskey
Commissioner Ron Antonneau

Also Present: Charles Larscheid, Brown County Port & Solid Waste
Sean Ryan, Cellcom Green Bay Marathon
Cal Kromm, Cellcom Green Bay Marathon

2) Approval/Modification – Meeting Agenda

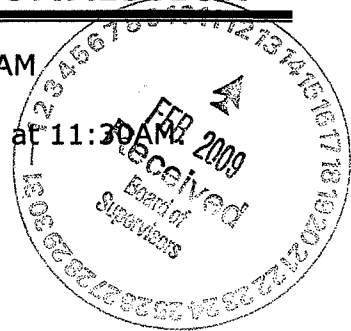
A motion to accept the meeting agenda was made by Craig Dickman and seconded by Hank Wallace. Unanimously approved.

3) Approval/Modification – November 10, 2008 Meeting Minutes

A motion to approve the November 10, 2008 meeting minutes was made by Hank Wallace and seconded by John Hanitz. Unanimously approved.

4) Green Bay Cellcom Marathon, Sean Ryan - Request for Approval:

Sean Ryan, Race Director for the Cellcom Green Bay Marathon, outlined the 2009 race route; however an actual route map was not available for review. Ryan indicated the only notable change to the 2009 race route will be crossing the Main Street Bridge rather than the Walnut Street Bridge. The Marathon is slated for May 17, 2009 and a bridge closure is being requested from 8:00AM until 1:00PM on that date. As in previous years, the Cellcom Green Bay Marathon will forward a check in the amount of \$7500 which will be held in escrow by Brown County/Port of Green Bay for any possible demurrage charges. Terminal operators will be notified by letter and by email of the above-mentioned requested bridge closure. The Marathon is aware that the Captain of any ship entering the Port of Green Bay has the legal right-of-way. Discussion ensued on what, if anything, could be done regarding train disruptions. Although the Commission was sympathetic, they were unable to offer any advice and/or help to the Marathon regarding the Canadian National Railway. Mr. Ryan asked Port officials to look into the requirements of formally closing the Port through the U.S. Coast Guard. Last year's race organizers were told that Port officials were not willing to request the Coast Guard to close the Port.



A motion was made by Craig Dickman and seconded by Hank Wallace to approve the Cellcom Green Bay Marathon's request for a bridge closure from 8:00AM until 1:00PM on May 17, 2009 with the condition that \$7500 be held in escrow. Unanimously approved..

5) Renard Island – Update:

Director Larscheid stated that lead and DIELDRIN, an organic pesticide, were found in the samples taken by Manager Dean Haen at the Bayport disposal site. Staff does not feel the samples collected are a true representation of the outer harbor dredging since some of the sediment deposited in that particular cell contained river sediment. Therefore, Soil Testing Services will collect another sample to test which will be more representative of the outer harbor dredging. Director Larscheid provided a brief explanation on how samples are taken in order to obtain a true representation. Larscheid indicated that if these samples remain high over the concentrations, then this will need to be addressed, however, staff does not anticipate that happening. Previously the Commission had approved Soil Testing Services to do this work and this additional testing will be part of that retainer. Information will be made available to the Commission as it becomes available. Informal talks are being held with the City of Green Bay Mayor and Corporation Counsel to discuss a Memorandum of Understanding for recreational uses of Renard Island. The City and the Count will each put together a status report to be released at an agreed-upon date.

6) Port Webcam – Update:

Director Larscheid indicated the Port Webcam, purchased as part of the 2007 Homeland Security Grant, is now up and running and can be viewed on the port website. This was a cost share of 25/75 with the Federal government. The Port's portion of this purchase was \$12,500.

7) 2009 PR & Marketing Task and Timeline – Request for Approval:

The marketing task and timeline were reviewed and discussed by the Commission. It was suggested that in addition to the items already listed, that profiles on Harbor Commissioners and Terminal Operators be done to raise public awareness and visibility. Larscheid noted that the PR campaign has the full support of the terminal operators. The Commission also suggested that there be more visibility of the Port of Green Bay and the Harbor Commission at the next Tallships Event.

A motion to approve the 2009 PR & Marketing task and timeline was made by John Gower and seconded by Bernie Erickson. The Harbor Unanimously approved.

8) 2009 Port Security Grant – Update:

Director Larscheid discussed security dock cameras for Great Lakes Calcium and an ice boat for the Sheriff's department as items being considered for the 2009 Port Security Grant. This grant is a 75/25 cost share. The Commission questioned the necessity of some items and felt there may be better uses for the available monies. Larscheid apologized for not having more information on the Grant but explained that Manager Haen deals specifically with the grant program and more information would be brought to the next meeting. The Commission suggested that throughout the year a "needs assessment" be done prior to any future grant opportunities. The Commission also recommended surveying the terminal operators to get their input as far as standards and levels of security needed. Larscheid did explain this is a cooperative effort among various entities in Brown County and that the Port & Solid Waste Department provides their services as a conduit to submit the grant application. Also suggested was looking at any duplication of services. More information will be brought to the next meeting.

9) WDOT Economic Impact and Modal Shift Study on Wisconsin Ports:

The Wisconsin Department of Transportation (WDOT) has been requested by the Wisconsin Commercial Ports Association to update the ports' impact on Wisconsin. The last time this study was done was in 2003. The economic impact study done for the Port of Green Bay by Bay-Lake Regional Planning Commission is done specifically for Brown County and the Port of Green Bay. This new study being done by the WDOT will cover all the ports and their impact on the State as a whole.

10) Wetland Delineation on 1445 Bylsby Ave:

Because the Bylsby property was originally deemed a wetlands, STS on behalf of Brown County has drawn up a draft report and letter to the WDNR and USACE requesting development of the back portion of this property. Brown County purchased this property from the City of Green Bay for \$1. Currently the front of the property is being used; however, Brown County would like to develop the back portion of this property with the possibility of additional storage for Fox River Dock. If approved, the County might need mitigation acreage and Brown County is hopeful the Cat Island acreage could serve this purpose

11) Director's Report:

- *Fox River Cleanup*

Director Larscheid gave a brief update on the status of the litigation for the Fox River Cleanup (a copy of a recent newspaper article was distributed). Brown County has been named in the lawsuit because of their connection with Bayport and Renard Island. A law firm out of Madison has been retained by the Port & Solid Waste Department with current expenses at \$45,000. Per discussions with County Executive Tom Hinz, Brown County has no monies to support the Port's litigation. Stay of discovery ends January 2009. Larscheid stated more information would be discussed during closed session.

- *Cat Island Project*

Director Larscheid provided a brief history of the Cat Islands. He stated he has been involved with the Cat Island project and the USACE for 10 years. The USACE is currently working on a dredged material management plan. Larscheid stated this is the first time the USACE has mentioned Bayport and Cat Island as disposal sites for inner and outer harbor dredging. An environmental assessment on the dredged material management plan should be done by late spring or early summer. This would force Brown County to have an environmental assessment of Cat island by that time. The project would be a 65/35 cost share. When Larscheid started on this project in 1998, the County Board had asked if any County money would be used for this project. At that time Director Larscheid indicated that no County money would be used. Based on the new developments for Cat Island, a commitment from the County will be needed for the money necessary for this project. At this time the estimated cost for all three islands would be \$10M. The County has an \$800,000 designation from the Natural Resource Damage Assessment (NRDA) which could be used for this project and Manager Haen is confident of a HAP grant. The Commission suggested checking with Bill Haefs and Chuck Lamine for additional funding options; however, Director Larscheid indicated that any monies received cannot be federal dollars. Brown County will continue to work with the USACE.

- *Energy Independence*

In response to the State's new "25 by 25" Energy Independence Initiative, County Executive Hinz has created an oversight committee. Director Larscheid has been appointed to this committee which will look at ways the County can reduce energy use of fossil fuels by 25%. Efficient lighting at the Mental Health Center, windmills on Renard Island, are some ideas being discussed. Larscheid will keep the Commission updated.

12) Closed Session:

19.85(1)(e): Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business . . . pertaining to Fox River Clean-up litigation.

A motion to go into closed session was made by Craig Dickman and seconded by John Hanitz. Unanimously approved.

Present: Vice-President Tom Van Drasek
 Commissioner Bill Martens
 Commissioner Hank Wallace
 Commissioner John Hanitz
 Commissioner John Gower
 Commissioner Craig Dickman
 Commissioner Bernie Erickson
 Excused: President Neil McKloskey
 Commissioner Ron Antonneau

A motion to return to regular session was made by Hank Wallace and seconded by Bernie Erickson. Unanimously approved.

Present: Vice-President Tom Van Drasek
 Commissioner Bill Martens
 Commissioner Hank Wallace
 Commissioner John Hanitz
 Commissioner John Gower
 Commissioner Craig Dickman
 Commissioner Bernie Erickson
 Excused: President Neil McKloskey
 Commissioner Ron Antonneau

During closed session the Commission discussed the Fox River Cleanup. No action was taken.

13) Tonnage Report:

The November tonnage report was included in the agenda packet and the December tonnage report was distributed at the meeting. Larscheid noted tonnage was down 5% which is good considering today's economy. A motion to place on file was made by Bernie Erickson and seconded by John Hanitz. Unanimously approved.

14) Audit of Bills – Request for Approval

A motion to approve the bills was made by Bill Martens and seconded by John Gower. Unanimously approved.

15) Such Other Matters as are Authorized by Law:

There were no other matters to discuss.

16) Adjourn

A motion to adjourn was made by Hank Wallace and seconded by Bernie Erickson. Unanimously approved. Meeting adjourned at 1:05PM.

Neil McKloskey, President
Harbor Commission

Charles Larscheid, Director
Port & Solid Waste Department